

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 12TH DECEMBER 2006 / 21ST AGRAHAYANA 1928

WP(C).No. 32952 of 2006(W)

PETITIONER:

1. P.R.RAJASEKHARAN, AGED 47 YEARS,
S/O.RAGHAVAN PILLAI,
UTHRAM, 22/103, THRIKKAKARA,
KANAYANNOOR TALUK, KOCHI-682 030.
2. P.R.BHARGAVI AMMA,
AGED 70 YEARS, W/O.RAGHAVAN PILLAI,
UTHRAM, 22/103, THRIKKAKARA, KANAYANNOOR TALUK,
KOCHI-682 030.

BY ADV. SRI.TOM JOSE

RESPONDENTS:

1. THE KERALA CO-OP. TRIBUNAL,
THIRUVANANTHAPURAM.
2. PEOPLES URBAN CO-OP. BANK LTD.NO.51,
TRIPUNITHURA, PALARIVATTOM BRANCH,
REP. BY ITS BRANCH MANAGER.
3. SENIOR INSPECTOR/SPECIAL SALE OFFICER,
PEOPLES URBAN CO-OP. BANK LTD.,
OFFICE OF THE ASSISTANT REGISTRAR OF CO-OP.
SOCIETIES (GENERAL), KANAYANNOOR.

BY SENIOR GOVERNMENT PLEADER, SRI P.N.SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12/12/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

J.M.JAMES, J.

W.P.(C) No. 32952 of 2006 (W)

Dated this the 12th day of December, 2006

J U D G M E N T

The prayer of the writ petitioners is to quash Exhibit P2 award of the Arbitration Board, Exhibit P4 order of the Co-operative Tribunal and Exhibit P6 sale notice, issued consequent to the non payment of the amount due to the second respondent bank.

2. I have heard the learned counsel for the writ petitioners. It is submitted by the counsel that even the amount paid by them had not been deducted while issuing Exhibit P6 sale notice. It is contended by the counsel that the interest calculated is exorbitant and such a contention raised was not considered by the authorities.

3. I have heard the Senior Government Pleader.

4. After considering the facts on record, I direct the writ petitioners to approach the second respondent with a representation for one time settlement scheme, within 10 days from today and, on receipt of the same, the second respondent

shall consider the request for one time settlement and dispose of the same, on merit, within three weeks thereon.

5. Exhibit P6 sales proceedings initiated against the writ petitioners shall be kept in abeyance till a final decision is taken on the representation that would be filed by the writ petitioners. The writ petitioners shall be given all the benefits that are due under the one time settlement scheme as per Circular No.27/2006, dated 29/06/2006.

The writ petition is closed as above.

(J.M.JAMES)
Judge

ms